
By: **Chairman, Commerce and Government Matters Committee**
(Departmental - Ethics, State Commission on)

Introduced and read first time: January 15, 2001
Assigned to: Commerce and Government Matters

Committee Report: Favorable with amendments
House action: Adopted
Read second time: February 27, 2001

CHAPTER _____

1 AN ACT concerning

2 **Public Ethics - ~~Local Officials~~ Executive Unit - Offices of Sheriffs and**
3 **State's Attorneys**

4 FOR the purpose of including in the definition of ~~local official~~ executive unit in the
5 public ethics laws ~~certain~~ employees of the offices of the sheriffs and State's
6 Attorneys in the counties and Baltimore City; providing ~~for certain exceptions~~
7 an exception to the required filing of a financial disclosure statement for certain
8 employees; and generally relating to the application of public ethics laws to ~~local~~
9 officials employees in the offices of sheriffs and State's Attorneys.

10 BY repealing and reenacting, without amendments,
11 Article - State Government
12 Section 15-102(g)
13 Annotated Code of Maryland
14 (1999 Replacement Volume and 2000 Supplement)

15 BY repealing and reenacting, with amendments,
16 Article - State Government
17 Section 15-102(~~g~~) (m) and 15-601
18 Annotated Code of Maryland
19 (1999 Replacement Volume and 2000 Supplement)

20 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
21 MARYLAND, That the Laws of Maryland read as follows:

1

Article - State Government

2 15-102.

3 (y) (1) ~~"Local official", subject to § 15-807 of this title, means an official,~~
 4 ~~officer, or employee of a county or municipal corporation that the governing body of~~
 5 ~~the county or municipal corporation determines is subject to Subtitle 8, Part I of this~~
 6 ~~title.~~

7 (2) ~~"Local official", subject to § 15-807 of this title, includes each member~~
 8 ~~and employee of a board of license commissioners that the applicable governing body~~
 9 ~~determines is subject to Subtitle 8, Part I of this title.~~

10 (3) (f) ~~EXCEPT AS PROVIDED IN ITEM (H) OF THIS PARAGRAPH, "LOCAL~~
 11 ~~OFFICIAL" INCLUDES DEPUTY SHERIFFS, DEPUTY AND ASSISTANT STATE'S~~
 12 ~~ATTORNEYS, AND ALL OTHER EMPLOYEES OF THE OFFICE OF THE SHERIFF AND THE~~
 13 ~~OFFICE OF THE STATE'S ATTORNEY IN EACH COUNTY.~~

14 (H) ~~"LOCAL OFFICIAL" DOES NOT INCLUDE:~~

15 1. ~~A STATE OFFICIAL PERFORMING DUTIES IN AN OFFICE OF~~
 16 ~~THE SHERIFF OR OFFICE OF THE STATE'S ATTORNEY IN A COUNTY; OR~~

17 2. ~~IN BALTIMORE CITY, DEPUTY SHERIFFS AND OTHER~~
 18 ~~EMPLOYEES OF THE OFFICE OF THE SHERIFF THAT ARE EMPLOYEES IN THE STATE~~
 19 ~~PERSONNEL MANAGEMENT SYSTEM.~~

20 (g) (1) "Employee" means an individual who is employed:

21 (i) by an executive unit;

22 (ii) by the Legislative Branch; or

23 (iii) in the Judicial Branch.

24 (2) "Employee" does not include:

25 (i) a public official; or

26 (ii) a State official.

27 (m) (1) "Executive unit" means a department, agency, commission, board,
 28 council, or other body of State government that:

29 (i) is established by law; and

30 (ii) is not in the Legislative Branch or the Judicial Branch of State
 31 government.

32 (2) "Executive unit" includes:

1 (1) a county health department unless the officials and employees
2 of the department are expressly designated as "local officials" in § 15-807 of this title;

3 (2) THE OFFICE OF THE SHERIFF IN EACH COUNTY; AND

4 (3) THE OFFICE OF THE STATE'S ATTORNEY IN EACH COUNTY.

5 15-601.

6 (a) Except as provided in [subsection] SUBSECTIONS (b) AND (C) of this
7 section, and subject to subsections [(c)] (D) and [(d)] (E) of this section, each official
8 and candidate for office as a State official shall file a statement as specified in §§
9 15-602 through 15-608 of this subtitle.

10 (b) Financial disclosure by a judge of a court under Article IV, § 1 of the
11 Constitution, a candidate for elective office as a judge, or a judicial appointee as
12 defined in Maryland Rule 16-814 is governed by § 15-610 of this subtitle.

13 (C) THE REQUIREMENT TO FILE A FINANCIAL DISCLOSURE STATEMENT
14 UNDER SUBSECTION (A) OF THIS SECTION DOES NOT APPLY TO:

15 (1) A DEPUTY SHERIFF AND ALL OTHER EMPLOYEES IN THE OFFICE OF
16 THE SHERIFF IN A COUNTY OR BALTIMORE CITY; AND

17 (2) A DEPUTY OR ASSISTANT STATE'S ATTORNEY AND ALL OTHER
18 EMPLOYEES IN THE OFFICE OF THE STATE'S ATTORNEY IN A COUNTY OR BALTIMORE
19 CITY.

20 [(c)] (D) (1) An individual who is a public official only as a member of a board
21 or who is a member of the Board of Trustees of the Maryland Health Care Foundation
22 established under § 2-501 of the Health - General Article and who receives annual
23 compensation that is less than 25% of the lowest annual compensation at State grade
24 level 16 shall file the statement required by subsection (a) of this section in
25 accordance with § 15-609 of this subtitle.

26 (2) A member of the Harford County Liquor Control Board shall file the
27 statement required by subsection (a) of this section in accordance with § 15-609 of
28 this subtitle.

29 [(d)] (E) A commissioner or an applicant for appointment as commissioner of a
30 bicounty commission shall file the statement required by subsection (a) of this section
31 in accordance with Subtitle 8, Part III of this title.

32 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
33 October 1, 2001.

